

CITY OF KEENE
NEW HAMPSHIRE

MEMORANDUM

Date: October 2, 2018

To: Joint Committee of the Planning Board and the Planning, Licenses and Development Committee

From: Tara Kessler, Senior Planner

Re: Cancellation of October Meeting and Update on Building Better Together

We would like to thank the members of the Joint Planning Board and Planning, Licenses and Development Committee for the attention you gave this summer to *Building Better Together: The City of Keene Land Use Code Update*. In recognition of this time investment and of upcoming work on the project, Joint Committee meeting for October has been cancelled.

City staff are currently working on preparing draft sections of the Land Development Code (aka Unified Development Code). We are examining the sections of the City's land use regulations that were to be the topic of the October meeting (building/housing codes, street standards, and sign code) and are identifying the level to which these regulations are updated and reorganized into the Land Development Code. If you have a specific interest in these topics and would like to meet directly with staff to discuss your questions, comments, or feedback on these sections of our City code, please let us know.

We expect that the planning consultant for this project, Camiros, will be in Keene in the first week of November to review draft concepts for form-based zoning in Keene's Central Business District. More information on the schedule for this visit and draft materials will be shared with the Joint Committee in the coming weeks.

We have attached three items to this memorandum that offer a progress update on the overall project and on the work of the Joint Committee. These items include:

- **Updated Joint Committee Schedule** – This document provides a review of topics addressed before the Joint Committee since June, and lists an updated schedule for the Joint Committee meeting in late 2018 and early 2019.
- **Outline of Regulatory Content Reviewed to Date** – This outline provides a more detailed status update on the topics/sections of the existing City regulations that are intended for inclusion in the Land Development Code. Items are color coded to distinguish between those topics that have been reviewed by the Joint Committee to date, those items being reviewed and updated by City Staff, and those items that are pending review by the Joint Committee.
- **Progress Update on the Overall Project** – This report provides a summary of the work that has been completed to date on the Building Better Together project over the course of the past year.

Thank you again for your hard work to date, and we look forward to resuming our schedule in November.

BUILDING BETTER TOGHER: LAND USE CODE UPDATE
Topics Reviewed To Date / Revised Joint Committee Schedule

JUNE 11, 2018: JOINT COMMITTEE

- Zoning Districts Review (R, A, CON, LD, MD, HD, LD1, HD1, RP, I, IP, CRD, HC, Institutional, CP, NB, BGR, O)
- Lighting Standards

JUNE 25, 2018: PLANNING BOARD

- Subdivision Regulations

JULY 9, 2018: JOINT COMMITTEE

- Parking
- Landscaping / Screening
- Telecommunications

AUG 13, 2018: JOINT COMMITTEE

- Surface Water Protection
- Floodplain
- Stormwater

SEP 10, 2018: JOINT COMMITTEE

- Economic Development
- Public Art
- Energy / Climate
- Agriculture

OCT 8, 2018: JOINT COMMITTEE

- **Cancelled**

NOV 8, 2018: CITY COUNCIL PRESENTATION*

- Form Based Zoning in the Downtown – Presentation by Camiros

**Joint Committee members encouraged to attend in place of November 13th Joint Committee meeting*

DEC 10, 2018: JOINT COMMITTEE

- Architecture /Visual Appearance
- Historic Preservation
- Remaining Zoning Districts
- Sign Regulations

JAN 14, 2018: JOINT COMMITTEE

- Review of Draft Land Development Code

FEB 11, 2018: JOINT COMMITTEE

- Review of Draft Land Development Code

MAR 11, 2018: JOINT COMMITTEE

- Review of Draft Land Development Code

APR 8, 2018: JOINT COMMITTEE

- Review of Draft Land Development Code

• KEENE LAND DEVELOPMENT CODE •
CONTENT REVIEW OUTLINE

The outline below provides a listing of the current regulations that have been reviewed for inclusion in the Land Development Code. Some of these items may change through the update process. For example, the City is working to develop a Character-Based Zoning (aka Form-Based Zoning) District in the downtown, which may replace the Central Business District as well as some of the downtown overlay zoning districts.

- Items in **blue** are those sections/topics that City staff have reviewed and are working to update/incorporate into a draft but have not yet been discussed with the Joint Committee.
- Items in **grey** are topics that have been reviewed with the Joint Committee to date. Staff are currently working to update and include these sections/topics into the Land Development Code.
- Items in **beige**, have been reviewed by staff and are being examined as part of the Character-Based Zoning (aka Form-Based Zoning) efforts in the downtown.
- Items in **red** are those that are proposed for review with the Joint Committee.

<p>I. Introductory Provisions</p> <p>II. Rules of Interpretation</p> <p>III. Rules of Measurement</p> <p>IV. Zoning Regulations</p> <p>A. Establishment of Districts</p> <p>B. Zoning Map</p> <p>C. Matrix of Permitted Uses by Zoning District</p> <p>D. Residential Districts</p> <ol style="list-style-type: none"> 1. Rural 2. Residential Preservation 3. Low Density 4. Low Density 1 5. Medium Density 6. High Density 7. High Density 1 <p>E. Commercial & Mixed Use Districts</p> <ol style="list-style-type: none"> 1. Central Business 2. Central Business Limited 3. Commerce 4. Commerce Limited 5. Neighborhood Business 6. Business Growth and Reuse 7. Office 8. Corporate Park <p>F. Industrial Districts</p> <ol style="list-style-type: none"> 1. Industrial 2. Industrial Park 3. Industrial Park Limited <p>G. Special Purpose Districts</p> <ol style="list-style-type: none"> 1. Agriculture 2. Conservation 3. Regional Health Care 	<p>H. Overlay Districts</p> <ol style="list-style-type: none"> 1. Downtown Historic District 2. Sustainable Energy and Efficient Development Overlay District (SEED) 3. Telecommunications Overlay District 4. Surface Water Protection Overlay District 5. Hillside Protection Overlay District <p>I. Use Standards</p> <p>J. Sign Regulations</p> <p>K. Off-Street Parking</p> <p>V. Subdivision Standards</p> <p>VI. Site Development Standards</p> <p>A. Stormwater / Drainage</p> <p>B. Sedimentation / Erosion Control</p> <p>C. Fill/Excavation</p> <p>D. Outdoor Lighting</p> <p>E. Utilities</p> <p>F. Snow Storage</p> <p>G. Hillside, Surface Water, Floodplain, Wetland</p> <p>H. Landscaping</p> <p>I. Screening</p> <p>J. Architecture and Visual Appearance</p> <p>K. Comprehensive Access Management</p> <p>L. Traffic</p> <p>M. Noise</p> <p>N. Dust and Air Pollution</p> <p>O. Hazardous Materials</p> <p>VII. Historic District Standards</p> <p>VIII. Right-of-Way Standards</p> <p>IX. Application Review & Approval Procedures</p> <p>X. Nonconformities</p> <p>XI. Enforcement</p> <p>XII. Definitions of Terms</p>
--	--

BUILDING BETTER TOGETHER: CITY OF KEENE LAND USE CODE UPDATE

OCTOBER 2018 PROJECT PROGRESS UPDATE

Project Objectives

The focus of this effort is to develop a more **predictable, easy to understand, and streamlined** set of regulations to guide land use and development in Keene in a manner consistent with the goals of our Comprehensive Master Plan.

This project aims to provide a regulatory framework that:

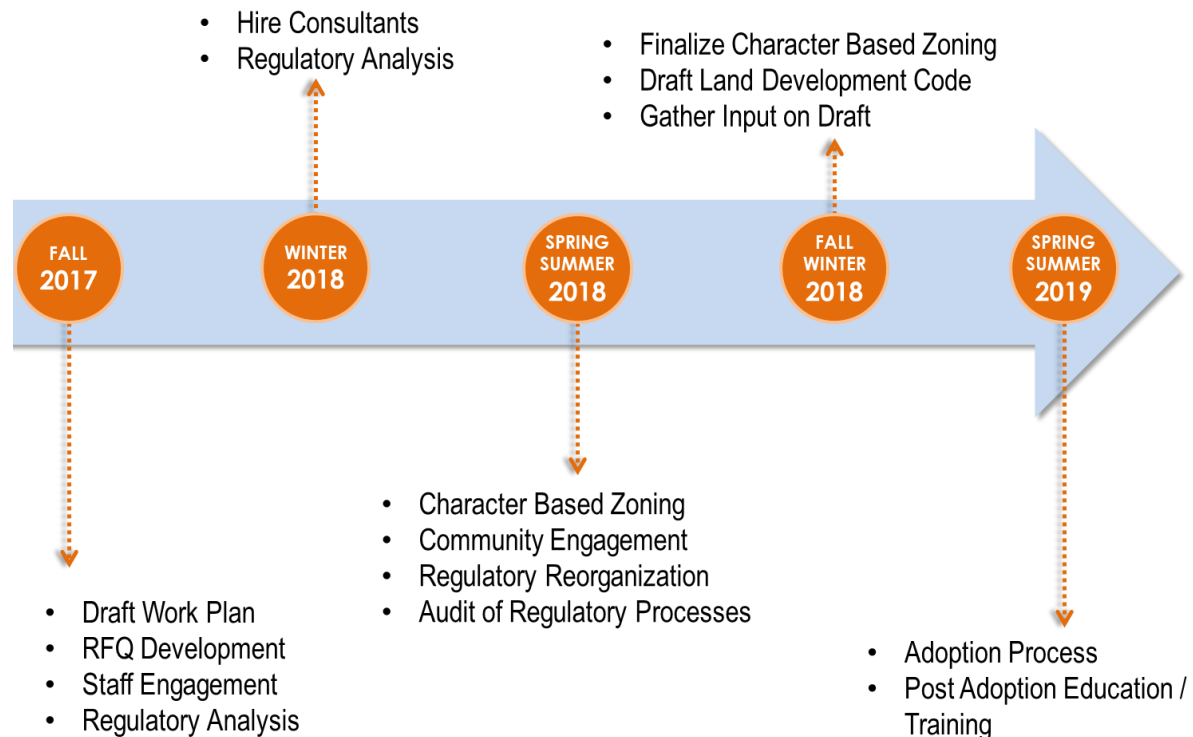
- ❖ is logically organized, **easy to read and understand**, and is consistent in terms of processes and requirements;
- ❖ **reflects current community goals** and land use policies;
- ❖ provides **flexibility** and a **streamlined process** while insuring appropriate community review; and,
- ❖ **contributes to quality neighborhoods, communities and businesses.**



This update serves to provide a summary of work that has been completed on Building Better Together over the course of the past year as well as an overview of remaining project deliverables. If you have any questions on the information contained in this update or would like to learn more about aspects of this project, please reach out to either Tara Kessler, Senior Planner, or Med Kopczynski, Director of Economic Development Initiatives and Special Projects, or visit www.keenebuildingbetter.com.

The image below depicts the proposed schedule for this project. The following page recaps activities that have taken place since last fall as they relate to this schedule. To date, the project is on track with the timeframe shown below.

Project Schedule:



Activities highlighted in green are those that have been completed.	Completed
Activities highlighted in orange are those that have begun but are not yet completed.	Not Yet Completed
Activities highlighted in light blue are those that are ongoing.	Ongoing

BUILDING BETTER TOGETHER PROGRESS UPDATE			
TASK			
PROJECT WORK PLAN	<ul style="list-style-type: none"> A work plan for this project was developed in October of 2017 and is available at: https://docs.wixstatic.com/ugd/dde330_975ab0137efb490096fe2f4f01c51ff7.pdf 		
RFQ DEVELOPMENT	<ul style="list-style-type: none"> In early 2018, a scope of work and RFQ was developed for a communications and marketing consultant to assist with the development of project messaging and a communication strategy. A separate scope and RFQ was developed for a Planning Consultant to assist with the creation of a Form Based Zoning (aka Character Based Zoning) District in Downtown Keene. 		
STAFF ENGAGEMENT	<ul style="list-style-type: none"> City staff managing this project held meetings with Department Heads to review the goals and scope of the project and to discuss known issues/challenges with the existing regulations. As a follow up to these introductory meetings, the project managers held work sessions with Department Heads and staff from relevant City departments to review each chapter of City Code. The results of these meetings have supported the regulatory review and analysis component of this project. The project managers continue to meet with relevant City staff and Department heads on an on-going basis as part of the regulatory review and analysis and in the drafting of sections of the Land Development Code. 		
REGULATORY ANALYSIS	<ul style="list-style-type: none"> In the early spring of 2018, staff conducted a preliminary review of the City Code of Ordinances, which encompasses 24 chapters, and the City's other land use regulations, in conjunction with relevant City staff. From this review, staff identified sections from approximately 15 separate Code chapters that may be incorporated into the Land Development Code. Staff have identified the topics and sections of the current City's land use regulations that are known to be of concern. Recognizing these areas may warrant more time and consideration than some of the other sections of the regulations; staff developed a schedule for which it would present on these topics before the Joint Committee of the Planning Board and Planning, Licenses and Development Committee. The purpose of these presentations has been to review the challenges with the existing regulations, identify proposed changes and recommendations for improvement, and gather basic comment and agreement from the Committee on the direction proposed by staff for updating / redrafting these regulatory sections. <table border="0" style="width: 100%;"> <tr> <td style="vertical-align: top;"> <p>The topics reviewed to date include:</p> <ul style="list-style-type: none"> - Greater than half of the Zoning Districts - Lighting Standards - Subdivision Regulations - Landscaping Standards - Parking Standards - Telecommunications - Stormwater Standards - Floodplain Standards - Surface Water Protection - Public Art - Economic Development - Agriculture - Energy and Climate </td> <td style="vertical-align: top;"> <p>Topics to be reviewed include:</p> <ul style="list-style-type: none"> - Sign Regulations - Housing/Building Codes - Street Standards/Driveways - Definitions - Architecture /Visual Appearance - Downtown / Form Based Zoning - Historic Preservation </td> </tr> </table>	<p>The topics reviewed to date include:</p> <ul style="list-style-type: none"> - Greater than half of the Zoning Districts - Lighting Standards - Subdivision Regulations - Landscaping Standards - Parking Standards - Telecommunications - Stormwater Standards - Floodplain Standards - Surface Water Protection - Public Art - Economic Development - Agriculture - Energy and Climate 	<p>Topics to be reviewed include:</p> <ul style="list-style-type: none"> - Sign Regulations - Housing/Building Codes - Street Standards/Driveways - Definitions - Architecture /Visual Appearance - Downtown / Form Based Zoning - Historic Preservation
<p>The topics reviewed to date include:</p> <ul style="list-style-type: none"> - Greater than half of the Zoning Districts - Lighting Standards - Subdivision Regulations - Landscaping Standards - Parking Standards - Telecommunications - Stormwater Standards - Floodplain Standards - Surface Water Protection - Public Art - Economic Development - Agriculture - Energy and Climate 	<p>Topics to be reviewed include:</p> <ul style="list-style-type: none"> - Sign Regulations - Housing/Building Codes - Street Standards/Driveways - Definitions - Architecture /Visual Appearance - Downtown / Form Based Zoning - Historic Preservation 		

<p>HIRE CONSULTANTS</p>	<p>In the Spring of 2018, after separate competitive selection processes, the City contracted with the following consultants to assist with elements of the project.</p> <ul style="list-style-type: none"> • Matter Communications was hired to assist with the development of project messaging, communication training, and a communication strategy. The deliverables from this contract included core project messaging and branding, development of a FAQ sheet, communication training for City Staff and elected officials. Matter completed their contract with the City in July of 2018. • Camiros Ltd was hired to assist with review of the Unified Development Ordinance / Land Development Code structure, and to develop a Character-Based Zoning District (aka Form-Based Zoning) for Downtown Keene, with a focus on the Central Business District. Camiros has conducted two visits to Keene since the start of their contract to perform site analysis and collect information from staff and stakeholders on the Downtown. The firm has provided guidance to staff on a content outline for the Land Development Code, developed a logo for the project, and will be returning to Keene in November to present on the proposed concept for a Character Based Zoning District in the Downtown.
<p>COMMUNITY ENGAGEMENT</p>	<p>The community outreach and engagement for this project has been extensive and focused. A summary of outreach conducted to date is listed below.</p> <ul style="list-style-type: none"> • Project Website and Marketing Materials – Staff have developed a website for the project (www.keenebuildingbetter.com) and outreach materials in the form project flyers, postcards/comment cards, posters, and FAQ sheets. • Presentations to community groups / organizations – Staff have presented on the project to local organizations such as the Rotarians, Lions Club, Kiwanis, etc. • Local Media - Staff has met with the editorial staff of the Keene Sentinel as well as conducted a radio interview with Dan Mitchell at WKBK. Staff has shared information on the project and upcoming community events via press releases with all local and regional newspapers, posts on local and regional event calendars, advertisements on Cheshire TV, and via the City's and local groups' Facebook pages. Staff will continue to utilize these media channels throughout the project. • Community Forums – In the summer of 2018, staff hosted four meetings (each in a separate area of the City) to kick-off the project and have conversations with residents and other interested parties about the project's scope and to learn more about their concerns and hopes for the update. Staff will host a second series of meetings in neighborhoods in the late fall or early winter to share proposed changes to the regulations and to follow up on any items that were addressed in the initial meetings. • Development Community Roundtable - Starting in July of 2018, staff have held a monthly roundtable discussion for members of the development community including land use attorneys, contractors, land use consultants, surveyors, etc. to share info / gain input and insight on proposed changes. These meetings will continue on a monthly basis, as needed. • Downtown Storefront – In July and August of 2018, staff utilized vacant storefront space on Main Street to hold downtown office hours two days a week to share information about the project and answer questions from citizens. • Council Presentations and Community Forums - Staff will provide major updates on the project to the City Council on a periodic basis. A presentation on the proposed approach for Character-Based Zoning (aka Form-Based Zoning) will be conducted at the November 8, 2018 Council meeting. • Individuals and Small Groups - Staff has met with numerous individuals and small groups (over 50 to date) to discuss the project in person, learn about their experiences working with the City's codes, and gather their thoughts on improvements to the codes. • Topic Oriented Focus Groups - For certain subject matters staff will be convening topic specific focus groups.

REGULATORY RE-ORG.	<ul style="list-style-type: none"> • A draft table of contents, which shows how the code will be organized, has been created. Staff has reviewed a number of Unified Development Ordinances / Land Development Codes from communities across the country to help inform the development of this table of contents. In addition, staff has received input from the consultant, Camiros, on the basic format and structure of the proposed Land Development Code. • A draft format for the how the standards related to the zoning districts will be laid out in the new code has been created. It is believed, at this time, that most of the zoning districts will remain as they are, with the exception of clearly outlining the intent and interpretation process, updating the language and organization for improved clarification and updating the definitions to meet today's needs. Most of the work to be done with the Zoning Ordinance is related to addressing specific specified sections such as signage, parking, landscaping etc. Staff will be updating the Planning Board processes and standards in addition to the sections of city code related to development and land use that may be included in the UDO. Ultimately, all of the regulations related to land use and development will be organized into the UDO, which will serve as one document for land use/development regulations. • This work is ongoing through the fall of 2018 to winter of 2019.
AUDIT OF REGULATORY PROCESSES	<ul style="list-style-type: none"> • A component of this project is reviewing the application review and approval processes for development permits. Staff will be working with the Community Development Department and the Fire and Engineering Departments, to identify opportunities for improving customer experience, and streamlining the review and approval process. This will build off the LEAN process efforts already undertaken by these departments in the fall of 2017. • Staff has recently begun the process of reviewing these regulatory processes and identifying opportunities for improvement. This work will continue through the winter of 2019.
CHARACTER BASED ZONING	<ul style="list-style-type: none"> • As stated above, the consulting firm, Camiros, was retained to comment on the integration process and format and to make recommendations on Character-Based Zoning (aka Form-Based Zoning) in the downtown, with a focus on the Central Business District. Camiros has been on site and met twice with staff to discuss the work plan for their efforts and to conduct a site analysis of the downtown and interview community stakeholders. Camiros will return in the first week of November to present concepts for updating to a Character-Based form of zoning. • It is anticipated that a draft of the Character-Based Zoning District will be available in early 2019.
DRAFT LAND DEVELOPMENT CODE	<ul style="list-style-type: none"> • Staff are in the process of drafting sections of the Land Development Code. Staff are working to prepare a schedule for which it will bring forward draft versions of the updated Code for the Council, Planning Board, and members of the public to review and provide comment. • Staff anticipate submitting a draft Land Development Code, in the format of a complete substitution document, as part of the normal Zoning Amendment process in the Spring of 2019.